

THE HON'BLE MR JUSTICE K.C. BHANU

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Writ Petition No.18928 of 2005

Between:

Dasari Mahankali and others.

..... PETITIONERS

AND

1.The Commissioner, Prohibition & Excise Department, Hyderabad
and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE K.C. BHANU

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Writ Petition No.18928 of 2005

ORDER:

The writ petition is filed aggrieved by the action of the second respondent in not considering the cases of the petitioners as members of the proposed Toddy Tappers Cooperative Society in Tadepalligudem.

The petitioners, who claim to be toddy tappers, along with 29 other toddy tappers approached the second respondent to register a Toddy Tappers Cooperative Society in Tadepalligudem. It is stated that the first respondent granted permission for registration of the Society in Tadepalligudem by proceedings dated 28.03.2005 and 06.07.2005. However, the second respondent, at the instance of the third respondent, issued notices to only 29 members calling them to furnish the required information for registration of the Society vide letter dated 01.08.2005. Immediately, the petitioners approached the second respondent and requested to take into consideration their cases as they are also toddy tappers and some of them had already been issued certificates of identification. Aggrieved by the inaction of the second respondent, the petitioners have come with the present writ petition.

Heard both sides and considered the material on record.

It is claimed that the petitioners and the proposed members of the Society submitted an application dated 23.07.2005 in Form-A seeking registration of the proposed Society in Tadepalligudem. Thereafter, the second respondent vide letter dated 01.08.2005 called for the required documents from the proposed members. Now, the grievance of the petitioners is that they should be admitted as

members in that Society. The application which is stated to have been submitted in Form-A dated 23.07.2005 is not made available to this Court so as to ascertain whether the petitioners signed in that application. Unless they signed in the application, dated 23.07.2005, the petitioners cannot be admitted as members of the proposed Society.

Therefore, the writ petition is dismissed. However, this order shall not preclude the respondents in considering the cases of the petitioners for admitting them as members of the proposed Society after registration.

29.08.2005

VGB